

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. CR-22-16-G</b>
	)	
<b>ZQUAREUS TROYEZ IMMANUEL</b>	)	
<b>THOMAS,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

Now before the Court is the Government’s Motion to Dismiss Without Prejudice (Doc. No. 93). On January 18, 2022, the grand jury returned an Indictment (Doc. No. 1) charging Defendant Zquareus Troyez Immanuel Thomas with one count of possession of a firearm after having been convicted of a felony, in violation of 18 U.S.C. § 922(g)(1), on or about December 14, 2021. On February 21, 2023, the grand jury returned a Superseding Indictment (Doc. No. 89) charging Defendant with one count of possession of ammunition after having been convicted of a felony, in violation of 18 U.S.C. § 922(g)(1), on or about December 15, 2022.

The Government moves here to dismiss the original Indictment (Doc. No. 1) against Defendant pursuant to Federal Rule of Criminal Procedure 48(a), arguing that dismissal of the single count in the original Indictment is “in the best interest of justice.” *See* Gov’t’s Mot. (Doc. No. 93) at 1; Fed. R. Crim. P. 48(a). Defendant also moves to dismiss the original Indictment (Doc. No. 1), arguing that evidence essential to prove the single count

in the original Indictment has been suppressed by the Court. *See* Def.'s Mot. (Doc. No. 88) at 1.

Having considered the Government's argument and the record before the Court, the Court finds that dismissal of the original Indictment is in the public interest and that the Government's Motion (Doc. No. 93) should be and is hereby GRANTED. *See* Fed. R. Crim. P. 48(a); *Rinaldi v. United States*, 434 U.S. 22, 29 n.15 (1977); *United States v. Romero*, 360 F.3d 1248, 1251 (10th Cir. 2004). It is therefore ORDERED that the original Indictment (Doc. No. 1) is hereby DISMISSED WITHOUT PREJUDICE.

It is further ORDERED that, in accordance with the foregoing, Defendant's Motion to Dismiss (Doc. No. 88) is DENIED AS MOOT.

IT IS SO ORDERED this 3rd day of April, 2023.

  
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CHARLES B. GOODWIN  
United States District Judge